

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD, DAVID BALDACCI, MARY BLY, MICHAEL CONNELLY, SYLVIA DAY, JONATHAN FRANZEN, JOHN GRISHAM, ELIN HILDERBRAND, CHRISTINA BAKER KLINE, MAYA SHANBHAG LANG, VICTOR LAVALLE, GEORGE R.R. MARTIN, JODI PICOULT, DOUGLAS PRESTON, ROXANA ROBINSON, GEORGE SAUNDERS, SCOTT TUROW, and RACHEL VAIL, individually and on behalf of others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC, OPENAI GP LLC, OPENAI LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, OPENAI STARTUP FUND MANAGEMENT LLC, and MICROSOFT CORPORATION,

Defendants.

JONATHAN ALTER, KAI BIRD, TAYLOR BRANCH, RICH COHEN, EUGENE LINDEN, DANIEL OKRENT, JULIAN SANCTON, HAMPTON SIDES, STACY SCHIFF, JAMES SHAPIRO, JIA TOLENTINO, and SIMON WINCHESTER, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, OPENAI HOLDINGS, LLC, and MICROSOFT CORPORATION,

Defendants.

Case No. 1:23-cv-08292-SHS;

Case No. 1:23-cv-10211-SHS

**NOTICE OF PLAINTIFFS' MOTION
TO APPOINT LIEFF CABRASER
HEIMANN & BERNSTEIN, LLP,
SUSMAN GODFREY L.L.P., AND
COWAN DEBAETS ABRAHAMS &
SHEPPHARD LLP AS INTERIM CO-
LEAD COUNSEL FOR THE FICTION
AND NONFICTION AUTHORS'
CLASSES**

PLEASE TAKE NOTICE that Plaintiffs Authors Guild, David Baldacci, Mary Bly, Michael Connelly, Sylvia Day, Jonathan Franzen, John Grisham, Elin Hilderbrand, Christina Baker Kline, Maya Shanbhag Lang, Victor LaValle, George R.R. Martin, Jodi Picoult, Douglas Preston, Roxana Robinson, George Saunders, Scott Turow, and Rachel Vail, on behalf of themselves and others similarly situated (“Fiction Authors”), and Plaintiffs Jonathan Alter, Kai Bird, Taylor Branch, Rich Cohen, Eugene Linden, Daniel Okrent, Julian Sancton, Hampton Sides, Stacy Schiff, James Shapiro, Jia Tolentino, and Simon Winchester, on behalf of themselves and all other similarly situated (“Non-Fiction Authors”), will jointly move this Court before the Honorable Sidney H. Stein, United States District Judge, at the United States District Court for the Southern District of New York, 40 Foley Square, New York, NY 10007, for an order appointing Lief Cabraser Heimann & Bernstein, LLP, Susman Godfrey L.L.P., and Cowan DeBaets Abrahams & Sheppard, LLP as interim co-lead class counsel pursuant to Fed. R. Civ. P. 23(g). A proposed order is attached to this notice and will be submitted to the Orders Clerk concurrently with this filing.

In support of the motion, Plaintiffs will rely upon the accompanying memorandum of law, the Declaration of Rachel Geman, the Declaration of Justin A. Nelson, and the Declaration of Scott J. Sholder, and any other written or oral argument as may be requested or permitted by the Court.

Dated: January 11, 2024

Respectfully submitted,

/s/ Rachel Geman

Rachel Geman

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

250 Hudson Street, 8th Floor

New York, NY 10013-1413

Telephone: 212.355.9500

rgeman@lchb.com

Reilly T. Stoler (*pro hac vice forthcoming*)

Ian M. Bensberg (*pro hac vice*)

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

275 Battery Street, 29th Floor

San Francisco, CA 94111-3339

Telephone: 415.956.1000

rstoler@lchb.com

ibensberg@lchb.com

Wesley Dozier (*pro hac vice*)
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
222 2nd Avenue, Suite 1640
Nashville, TN 37201
Telephone: 615.313.9000
wdozier@lchb.com

/s/ Justin Nelson
Justin A. Nelson (*pro hac vice*)
Alejandra C. Salinas (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, TX 77002
Telephone: 713-651-9366
jnelson@susmangodfrey.com
asalinas@susmangodfrey.com

Rohit D. Nath (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Telephone: 310-789-3100
rnath@susmangodfrey.com

J. Craig Smyser
SUSMAN GODFREY L.L.P.
1901 Avenue of the Americas, 32nd Floor
New York, New York 10019
Telephone: 212-336-8330
csmyser@susmangodfrey.com

/s/ Scott Sholder
Scott J. Sholder
CeCe M. Cole
COWAN DEBAETS ABRAHAMS & SHEPPARD LLP
41 Madison Avenue, 38th Floor
New York, New York 10010
Telephone: 212.974.7474
ssholder@cdas.com
ccole@cdas.com

Attorneys for Plaintiffs and the Proposed Classes